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THE CITY OF NEW YORK  
LAW DEPARTMENT

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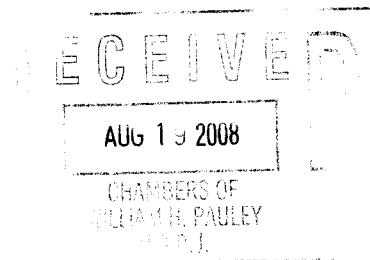
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RECEIVED

August 18, 2008

BY HAND

Honorable William H. Pauley III  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2210  
New York, New York 10007



Re: *William Morales v. City of New York, et al.*, 07 Civ. 8457(WHP)(THK)

Dear Judge Pauley:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York, Martin F. Horn, Michael Hourihane, Umar Abdullah, Rory Haynes, Michael Sakellaridis, Preston Menefee, Roy Miller, Michael Campbell, Maria Texeria and Roosevelt Rhodes in the above-referenced matter. I write on behalf and with the consent of plaintiff's counsel, Andrew Stoll, Esq. to request an extension of the discovery deadline, from August 18, 2008, to September 18, 2008. Should Your Honor grant this request, both parties further respectfully request that the Court enlarge the JPTO deadline from September 18, 2008 to October 3, 2008. This is the third request for an extension of the discovery deadline. The parties apologize for the lateness of this request.

To date, plaintiffs and defendants have responded to the respective Requests for the Production of Documents. Defendants are still awaiting the Investigation Division file from the Department of Correction and will provide same to plaintiff's counsel upon receipt. As discussed in my adversary's letter filed on June 25, 2008, the parties are conducting depositions and due to the number of depositions that need to be taken and the availability of the parties and counsel, we are still in the process of completing depositions in this matter. We believe that the additional 30 days will be sufficient to completing all relevant depositions.

*Application granted.*  
SO ORDERED:

*William H. Pauley III*  
WILLIAM H. PAULEY III U.S.D.J.

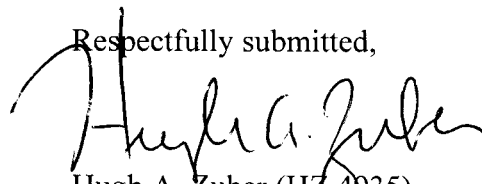
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Additionally, the parties have been in settlement discussions. Although a settlement has not been reached, we believe that once all depositions are completed a meaningful discussion can and will again take place between all involved. An extension of time would enable the parties to continue to conduct discovery while attempting to resolve this matter.

Therefore, for the reasons set forth above, the parties respectfully request that their time to complete fact discovery be extended to September 18, 2008, and if the Court grants this request, both parties further respectfully request that the Court enlarge the time to submit the JPTO from September 18, 2008 to October 3, 2008.

Thank you for your consideration in this matter.

Respectfully submitted,



Hugh A. Zuber (HZ 4935)  
Assistant Corporation Counsel

cc: Andrew Stoll, Esq.  
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Brooklyn, NY 11217